



# Montgomery County Council

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**For Immediate Release**

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*Focus on Protecting Schoolchildren, Elderly, Disabled...*

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## **COUNCIL APPROVES BILL TO REQUIRE CLEARING OF SNOW FROM COUNTY SIDEWALKS NEXT WINTER**

Montgomery County would join the long list of local jurisdictions requiring homeowners to shovel ice and snow from their sidewalks under legislation approved today by the County Council.

The Council voted 5 to 3 in favor of the "Pedestrian Winter Safety Act of 2001," introduced by Councilmember Phil Andrews and co-sponsored by Councilmembers Isiah Leggett and Steve Silverman. Voting in favor of the legislation were Councilmembers Derick Berlage, Blair Ewing, Andrews, Leggett, and Silverman. Councilmembers Marilyn Praisner, Nancy Dacek, and Howard Denis voted against the measure.

The legislation is similar to residential snow-shoveling requirements already in effect in County municipalities such as Rockville, Gaithersburg, Takoma Park, Kensington, Poolesville, and Chevy Chase Village. Similar requirements also exist in Prince George's County, Baltimore County, Howard County, the City of Frederick, the District of Columbia, and Alexandria, Virginia.

"This is a huge victory for pedestrian safety in the County and especially for children's safety," said Councilmember Phil Andrews, chair of the Council's Public Safety Committee. "Pedestrian safety is a growing problem in our County. It's dangerous when sidewalks filled with snow and ice force our schoolchildren to walk in the street.

The legislation, which goes into effect 90 days after signature by the County Executive, would require County residents next winter to clear snow and ice (more...)

page two

from their sidewalks within 24 hours of the end of a snowfall. Current County law requires snow clearing only for commercial properties and multi-family residential properties

“Most folks in the County already clear their walks. For those who don’t, here’s an incentive to pitch in,” Andrews said.

The bill drew support from the municipalities of Rockville, Gaithersburg, and Takoma Park, as well as from the senior, environmental, transit, and disabilities communities. The Montgomery County Council of PTAs backed the legislation, as did the Montgomery County Education Association and the Montgomery County Board of Education.

The bill requires a written warning about a violation before imposing a \$50 civil fine if, within 24 hours after the warning, the situation is not corrected. It provides that single-family-home violators could be fined only once during a given snowfall or ice incident. Violations on commercial and multifamily properties would still be treated as separate violations for each day that a violation continues.

In addition, the bill makes it a violation to pile snow in handicapped parking spaces. Such an action would be a Class B violation, with fines up to \$100 for the first offense and \$150 for subsequent offenses.

“It is already difficult to keep others from parking in those few spaces set aside for handicapped persons’ cars,” said Councilmember Leggett, who authored that piece of the bill. “It is equally important that people be prevented from obstructing these spaces by storing snow or other debris in them.”

The legislation would repeal the current law providing for the Police Department to enforce the shoveling requirement and allow the County Executive to designate an enforcement agency or agencies. The bill also allows the County Executive to order a different deadline or different requirements if conditions warrant.

Other provisions allow the use of sand, salt, or other abrasives if ice or hardpacked snow are unreasonably difficult to remove and an additional 24 hours to clear walkways if a snowplow redeposits snow or ice on a sidewalk. It would allow the County to clear the snow and ice and charge the responsible property owner for the cost when necessary.

“In response to concerns voiced by some in the community, we’ve made some changes and clarifications,” said Councilmember Andrews. “Unpaved paths are not covered by the bill and neither are sidewalks behind residents’ homes to

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page three

which they don't have access. The bill does not cover walkways used solely for recreation on private property unless it is the sole walkway to a winter facility open to the public.

"We've also listened to the concerns of homeowners' associations by clarifying that homeowners' associations are responsible for common-area walkways, with residents responsible for their own walks."

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